

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LABARBERA, et al., as Trustees, etc.

Plaintiffs,

- v -

ALL BORO TRUCKING COMPANY, INC., et al.,

Defendants.
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MEMORANDUM AND ORDER

CV-08-2830 (RJD) (VVP)

TO: DANIEL LOBOSCO and ALL BORO TRUCKING COMPANY, INC.
533 Scranton Avenue
Lynbrook, New York 11563

and

760 Village Way
Palm Harbor, Florida 34683

For health reasons, your attorney James Dougherty, Esq. has advised the court that he is no longer able to serve as your counsel in this action, and the court has today permitted him to withdraw as counsel of record. The court has suspended further proceedings in this action for 45 days to permit All Boro Trucking Company, Inc. and Daniel Lobosco to obtain substitute counsel. **Substitute counsel must file a notice of appearance with the clerk of the court within 45 days.** After 45 days, proceedings in this action will resume.

As the defendant All Boro Trucking Company, Inc. is a corporation, it is required to appear through counsel; it cannot represent itself. Thus, if an attorney has not filed a notice of appearance with the clerk of court within 45 days, All Boro Trucking Company, Inc. will be considered in default and will be subject to an order striking its answer to the complaint and the entry of a default judgment against it.

The defendant Daniel Lobosco, being an individual, may represent himself, but must apprise the court and the plaintiffs' counsel of his intention to do so within 45 days in writing and must provide the court and the plaintiffs' counsel with an address at which he wishes to receive notice of proceedings in this action. If an attorney has not filed a notice of appearance on behalf of

Daniel Lobosco and if Daniel Lobosco has not advised the court in writing of his intention to represent himself, he will be considered in default and will be subject to an order striking his answer to the complaint and the entry of a default judgment against him. The addresses of the court and of opposing counsel are set forth below.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
April 20, 2009

Viktor V. Pohorelsky
United States Magistrate Judge
225 Cadman Plaza East
Brooklyn, New York 11201

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